

## **REMARKS**

### **Status of the Claims**

Claims 1-32 are canceled and Claims 33-86 are pending in the present application. Claims 33-52 and 54-56 are withdrawn as being drawn to a nonelected invention.

### **Amendments to the Claims**

Claim 33 is amended in the present communication to include a purification step and to correct minor informalities. Support for the amendment to Claim 33 can be found in original Claims 80-82 and on page 36, lines 2-30, of the specification. Moreover, Claim 80 is canceled and Claims 81 and 82 are amended to depend from Claim 33.

The amendments do not include new matter and their entry is respectfully requested.

### **Claim Rejections**

#### ***35 USC §103***

Claim 53 is rejected under 35 §103(a) as being unpatentable over Jacobsen et al. (US 2005/0272075) for the reasons set forth on pages 3-6 of the Office Action. Claim 53 depends from Claim 33, which is amended in the present communication to include a purification step:

“where purifying the ligated first linker- microRNA of interest-second linker comprises:

i) applying DNAase to a solution containing the ligated first linker- microRNA of interest-second linker to destroy any DNA present in the solution, where the first linker, or the second linker, or both the first linker and the second linker comprise nuclease resistant nucleotides, or comprise nucleotides with a phosphothioate backbone that render the first linker, or the second linker, or both the first linker and the second linker resistant to nuclease degradation; or

ii) circularizing the ligated first linker- microRNA of interest-second linker and treating the solution containing the circularized ligated first linker-microRNA of interest-second linker with one or more than one exonuclease.”

The Jacobsen et al. reference does not teach or suggest either of these purification steps, which capitalize on the presence of first and second linkers ligated to the 5' and 3' ends of the microRNA of interest. Consequently, Applicant respectfully submits that the claimed method is not obvious in view of the Jacobsen et al. reference.

### CONCLUSION

The Applicant believes that all pending claims are in condition for allowance and such action is earnestly requested. If the present amendments and remarks do not place the Application in condition for allowance, the Examiner is encouraged to contact the undersigned directly if there are any issues that can be resolved by telephone with the Applicant's representative.

If an extension of time is required to extend the time for filing a reply in the above-identified application, such extension is hereby requested.

The Director is hereby authorized to charge any fees which may be required to Deposit Account No. 19-2090.

Respectfully Submitted,  
SHELDON MAK & ANDERSON

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By: /Margaret Churchill/  
Margaret Churchill  
Reg. No. 39,944

SHELDON MAK & ANDERSON  
100 Corson Street, 3<sup>rd</sup> Floor  
Pasadena, California 91103-3842

Telephone (626) 796-4000  
Facsimile (626) 795-6321